

Application No.
PA-15-10-10-LS
(Large Scale Plan Amendment)

Applicant
Board of County Commissioners /
Potable Water and Sanitary Sewer
sub-element

Legislative

Countywide



Charlotte County Government

"To exceed expectations in the delivery of public services."

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MEMORANDUM

Date: December 2, 2015

To: Honorable Board of County Commissioners
The Planning and Zoning Board

From: Matthew T. Trepal, Principal Planner

RE: PA-15-10-10-LS, a large-scale text amendment, amending several policies within the Potable Water and Sanitary Sewer sub-element of the Infrastructure element.

Purpose of This Amendment:

PA-15-10-10-LS involves a large-scale text amendment to amend eight policies within the Potable Water and Sanitary Sewer sub-element of the Infrastructure element in order to clarify County policy with regard to utility extensions through the Rural Service Area, the requirement to connect to existing or extended utility lines, and the expansion of the service areas of utility companies regulated by the Florida Public Service Commission (PSC), and to correct certain terminology.

In 2007, the County assumed regulation of private, for-profit utilities from the PSC. During the preparation of Charlotte 2050, a significant policy initiative was to direct development towards areas with existing public utilities and especially away from rural areas. Accordingly, policies were added to the Potable Water and Sanitary Sewer sub-element to limit the ability of utilities to expand into the Rural Service Area. Following adoption of the plan in 2010, however, the County returned regulation of utilities to the PSC in 2013. Because of this, the County can no longer prohibit utilities from expanding their service areas or distribution and collection lines into the Rural Service Area, only discourage such expansion. Therefore, the existing language in **WSW Policy 2.1.4: Utility Extensions through the Rural Service Area** and **WSW Policy 3.2.4: Certificated Areas and the Urban Service Area** must change to reflect this.

When potable water or sanitary sewer lines are extended, developed or developing properties are required to connect to these lines if they are within a certain distance of them. **WSW Policy 3.1.2: Connection of Developed Property** establishes the standards for connection to utility lines. The policy currently quotes existing language from the Charlotte County Code of Laws and Ordinances and makes a reference to a section of State Statute. If these references were to change, then the plan policy would be required to change as well, so the proposed amendment removes the specific references while maintaining the intent of requiring the connection of developed properties.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

18400 Murdock Circle | Port Charlotte, FL 33948

Phone: 941.764.4920 | Fax: 941.743.1228

Other proposed amendments to the WSW sub-element involve the correction of grammatical errors and terminology usage. The proposed amendment to **WSW Policy 3.1.1: Concurrent Utility Line Extensions** corrects verb tense and the proposed amendments to **WSW Policy 3.3.1: New Platted Lots and On-Site Septic Systems** and **WSW Policy 3.3.2: Community Utility Systems** clarify that the more restrictive standard between local ordinance and the Florida Administrative Code shall be used. The proposed amendments to **WSW Policy 4.2.9: Recycled Water Systems** and **WSW 4.2.10: Appropriate Water Quality for Use** replace the term “recycled water” with the appropriate term “reclaimed water.”

Consistency with Charlotte 2050:

Existing **FLU Policy 1.2.3: Urban Service Area** states that the comprehensive plan “*promotes infill development and compact new development that will minimize the conversion of agricultural and rural lands for urban use*” and “*maximizes the efficient use of available urban infrastructure*”. Likewise, **FLU Policy 1.2.4: Rural Service Area** states that the plan “*provides lower densities in outlying rural areas which have infrastructure limitations*”. The existing **WSW Policy 2.1.4** and **WSW Policy 3.2.4** work to implement these policies by discouraging utility extensions into the Rural Service Area.

Existing **WSW Objective 3.1: Connection to Utility Services** states that the County intends to “*connect developed properties to central potable water and sanitary sewer service when such centralized services are made available*”. Existing **WSW Policy 3.1.2** works to implement this objective and the proposed amendments to it will clarify the policy.

Recommendation:

Staff recommends that this large-scale text amendment be transmitted to the State for review and comment.

“Approve transmittal of petition No. PA-15-10-10-LS to the Department of Economic Opportunity for review and comments, based on the findings and analysis in the Planning Division staff report dated December 2, 2015 and the evidence presented at the public hearing on the application (if applicable).”

EXHIBIT A

WSW Policy 2.1.4: Utility Extensions through the Rural Service Area

The County shall only allow transmission lines for potable water or sanitary sewer service to be extended through the Rural Service Area if it is to provide service to lands located within the Urban Service Area. The County shall not allow water distribution or wastewater collection connection lines to expand from a transmission line ~~extended through~~ located in the Rural Service Area except to address situations where the public health, safety, and welfare are in danger.

WSW Policy 3.1.1: Concurrent Utility Line Extensions

The County shall require all utilities that provide both centralized potable water and sanitary sewer service to extend potable water and sanitary sewer lines concurrently. Lines may be extended separately only if the service area is primarily composed of one type of service line and it is determined by the utility that concurrent extensions ~~is~~ are not feasible.

WSW Policy 3.1.2: Connection of Developed Property

~~Within~~ In the Urban Service Area, whenever centralized potable water or sanitary sewer service is made available to any developed property, the constructing utility ~~may~~ shall require the landowner to connect to the utility ~~within one year of~~ upon written notification by the utility provider that service is available for the property. ~~"Made available"~~ "Available" means that the utility has adequate permitted capacity to serve the development and that a utility line is within the distance from the property as specified by County ordinance or State Statute.

- ~~1. In the case of a potable water service, a utility line exists in a public easement or right-of-way that abuts a property and:~~
 - ~~a. Is 100 feet or less from a residential lot, single or multi-family residence, or an establishment with an estimated water usage rate of 1,000 gallons per day or less.~~
 - ~~b. Is 200 feet or less from an establishment with an estimated water usage rate of more than 1,000 gallons per day.~~
- ~~2. In the case of sanitary sewer service, as it is defined in Chapter 381.0065, F.S.~~

WSW Policy 3.2.4: Certificated Areas Utility Companies and the Urban Service Area

The County shall ~~not permit Certificated Service Areas to be expanded~~ discourage expansion of the service areas of utility companies regulated by the Florida Public Service Commission (PSC) to any areas outside of the Urban Service Area, in accordance with **FLU Policy 3.2.5: Support Economic Viability of Agricultural Lands** and Special Provision 1(b) of the Rural Settlement Overlay District contained in FLU Appendix I.

WSW Policy 3.3.1: New Platted Lots and On-Site Septic Systems

The County shall require that new lots platted and intended to be served by an on-site septic system shall have a minimum lot area consistent with the requirements of Chapter 64E-6, Florida Administrative Code (F.A.C.) or local ordinance, whichever standard is higher~~more~~ restrictive.

WSW Policy 3.3.2: Community Utility Systems

The County may permit pre-manufactured treatment facilities designed and used to treat potable water and sanitary sewage at flows of 0.002 million gallons per day to 0.500 million gallons per day in small communities (package treatment plants) provided they are built to the standards specified by FDEP or the County, whichever standard is higher~~more~~ restrictive.

WSW Policy 4.2.9: ~~Recycled~~Reclaimed Water Systems

The County shall require all new large developments to connect to ~~recycled~~reclaimed water supply systems for non-potable uses, when such systems are made available. "Made available" means that the ~~recycled~~reclaimed water utility has adequate capacity to serve the development and a functioning ~~recycled~~reclaimed water distribution main is located within 500 feet of the property or that it is cost effective for the utility to extend a ~~recycled~~reclaimed water distribution main to within 500 feet of the property. Individual single-family, duplex, or triplex buildings shall not be required to connect.

WSW Policy 4.2.10: Appropriate Water Quality for Use

The County shall require that non-potable water uses shall be met by ~~recycled~~reclaimed water supplies whenever possible. If ~~recycled~~reclaimed water sources are not available, non-potable water uses shall be met by groundwater sources.



CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for
LARGE SCALE PLAN AMENDMENT (TEXT)

Date Received: 10/19/2015	Time Received:
Date of Log-in: 10/19/2015	Petition #: PA-15-10-10-LS
Receipt #: N/A	Accela #: -
	Amount Paid: N/A

1. PARTIES TO THE APPLICATION

Name of Applicant: Charlotte County Board of County Commissioners

Mailing Address: 18500 Murdock Circle

City: Port Charlotte

State: FL

Zip Code: 33948

Phone Number:

Fax Number:

Email Address:

Name of Agent: Matt Trepal

Mailing Address: 18400 Murdock Circle

City: Port Charlotte

State: FL

Zip Code: 33948

Phone Number: 941-764-4934

Fax Number:

Email Address: matthew.trepal@charlottefl.gov

2. APPLICANT'S ATTACHMENTS

- Submit a strikethrough/underline version of the proposed changes.
- Describe the purpose of/reason for the proposed change.

3. ADDITIONAL REQUIREMENTS

- Traffic Impact Study:* If the proposed change could influence traffic patterns, supply a study that identifies the impacts that could occur through adoption of the proposed change.
- Environmental Impact Assessment:* If the proposed change could have an impact on environmental resources, supply a narrative discussing what those impacts could be and how they will be mitigated.
- Public Infrastructure and Service Impact Assessment:* If the proposed change could have an impact on infrastructure or services, supply a narrative discussing what those impacts could be and how they will be mitigated or addressed.

AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that all data and other supplementary matter attached to and made a part of the application and staff report are honest and true to the best of my knowledge and belief.

STATE OF FLORIDA, COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 19th day of October, 2015, by

MATTHEW TREPAL
who is personally known to me or has/have produced

as identification and who did/did not take an oath

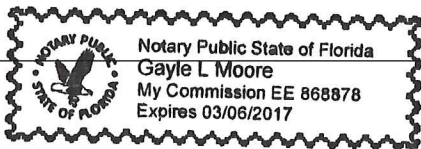

Notary Public Signature


Signature of Applicant or Agent

Notary Printed Signature

MATTHEW TREPAL
Printed Signature of Applicant or Agent

Title



Address

18400 MURDOCK CIR

Commission Code

City, State, Zip

PORT CHARLOTTE, FL 33948

941-764-4934

Telephone Number

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